

AMENDED IN ASSEMBLY APRIL 30, 2007

AMENDED IN ASSEMBLY APRIL 10, 2007

CALIFORNIA LEGISLATURE—2007–08 REGULAR SESSION

ASSEMBLY BILL

No. 670

Introduced by Assembly Member Spitzer
(~~Coauthor: Assembly Member Maze~~ *Coauthors: Assembly Members*
***Garrick and Maze*)**

February 21, 2007

An act to add Section 398 to the Penal Code, relating to animals.

LEGISLATIVE COUNSEL'S DIGEST

AB 670, as amended, Spitzer. Animals: bites: owner information.

Existing law makes it a misdemeanor or a felony for a person owning or having custody or control of a mischievous animal to negligently allow the animal to cause serious bodily injury to another person, as specified.

This bill would require a person who owns or has custody or control of an animal to immediately provide identifying information to another person when the person knows, or has reason to know, the animal bit the other person, as specified. Failure to provide the required information would be an infraction, punishable by a fine of not more than ~~\$250~~ *\$100*.

Because this bill would create a crime, it would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 398 is added to the Penal Code, to read:
2 398. (a) Whenever a person owning or having custody or
3 control of an animal, knows, or has reason to know, that the animal
4 bit another person, he or she shall immediately provide the other
5 person with his or her name, address, telephone number, and the
6 name and license tag number of the animal who bit the other
7 person. *If the person with custody or control of the animal at the*
8 *time the bite occurs is a minor, he or she shall instead provide*
9 *identification or contact information of an adult owner or*
10 *responsible party.* If the animal is required by law to be vaccinated
11 against rabies, the person owning or having custody or control of
12 the animal shall, within 48 hours of the bite, provide the other
13 person with information regarding the status of the animal's
14 vaccinations. Violation of this section is an infraction punishable
15 by a fine of not more than ~~two hundred fifty dollars (\$250)~~ *one*
16 *hundred dollars (\$100).*
17 (b) For purposes of this section, it is necessary for the skin of
18 the person be broken or punctured by the animal for the contact
19 to be classified as a bite.
20 SEC. 2. No reimbursement is required by this act pursuant to
21 Section 6 of Article XIII B of the California Constitution because
22 the only costs that may be incurred by a local agency or school
23 district will be incurred because this act creates a new crime or
24 infraction, eliminates a crime or infraction, or changes the penalty
25 for a crime or infraction, within the meaning of Section 17556 of
26 the Government Code, or changes the definition of a crime within
27 the meaning of Section 6 of Article XIII B of the California
28 Constitution.

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